

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRETT T. CULVER

Plaintiff,

v.

ROBERT D. SHANNON,
et al.,

Defendants.

ORIGINAL

PLAINTIFF'S
FIRST SET OF
INTERROGATORIES

Case No. 1:01-cv-00904

(Judge Kane)

FILED
HARRISBURG

OCT 25 2001

MARY E. D'ANDREA, CL
Per g/k
DEPUTY CLERK

In accordance with Rule 33 of the Federal Rules of Civil Procedure, Plaintiff requests that Defendant Robert D. Shannon answer the following interrogatories separately and fully in writing under oath, and that the answers be signed by the person making them and be served on plaintiff within 45 days of service hereof.

In responding to these interrogatories, furnish all information which is available to you, including information in the possession of your attorneys or investigators for your attorneys, and not merely information known of your own personal knowledge.

If you cannot answer the following interrogatories in full, after exercising due diligence to secure the information to do so, so state, and answer to the extent possible, specifying your inability to answer the remainder, and stating whatever information or knowledge you have concerning the unanswered portions.

These interrogatories shall be deemed continuing, so as to require supplemental answers as new and different information materializes.

1. What is your full name and address?
2. Have you been employed as a Department of Corrections employee during the time period of March 2000, 1999 through October of 2001?
3. On the following dates of "September 5, 2000 through September 11, 2000," and "October 13, 2000 through October 22, 2000 were you on duty as a employee of the D.O.C. at the Sate Correctional Institution at Mahanoy?
4. If yes,
 - (a) Cite each day you reported for duties at the facility.
 - (b) At what time of the day did you go on duty each day present?
 - (c) At what time of the day did you go off duty each day present?
5. During your employ at the State Correctional Institution at Mahanoy have you ever received or reviewed any reports/complaints/correspondence from the plaintiff relevant or related to any situations/issue/element mentioned or out-lined in this Action 1:01-cv-00904 ?

6. If yes,

- (a) Cite dates of notices/correspondence's/reports to your authority by plaintiff with the topic issue of each submitted notice to your authority;
- (b) Cite your response and action taken on issues of notification to your authority and on what dates;
- (c) Cite any resolution or relief established by your authority for plaintiff with dates of action taken on any issue presented to your attention and authority.

7. During your employ at the State Correctional Institution at Mahanoy have you ever received or reviewed any reports/complaints/correspondence's from any other persons (agency personnel or civilians) concerning any situation or issue matter associated with/to the plaintiff, mentioned or out-lined in this Action 1:01-cv-00904 ?

8. If yes,

- (a) Cite names of correspondent's to your authority;
- (b) Cite subject matter of all correspondence concerning plaintiff submitted to your authority.

9. During your term of employment at the State Correctional Institution at Mahanoy have you ever received correspondence's of orders/advice/recommendations from any affiliate official personnel or official authority of the Department of Corrections pertaining to the plaintiff and any related subject matter during plaintiff's detainment at the State Correctional Institution at Mahanoy, including any record information pertaining or relevant to the plaintiff being transferred to the S.C.I. at Mahanoy facility? 10. If yes,

- (a) Cite name and title of correspondent;
- (b) Cite date and subject matter of each correspondence;
- (c) Produce any record or file documentation of any and all documentation of correspondence's pertaining or related to plaintiff.

11. During your term of employment at the State Correctional Institution at Mahanoy have any other employees under your administrative authority prepared and/or filed into record any reports/statements/recommendations/evaluations on the plaintiff, or related to any subject matter during plaintiff's detainment at the State Correctional Institution at Mahanoy 12-01-99 through October 19, 2001?

12. If yes,

- (a) State the name, badge or identification number, and present address of the person or persons who prepared each such report;
- (b) The name, badge or identification number, and present address of the person for whom each such report was prepared;
- (c) The date, time, and place where each report was prepared;
- (d) The name, badge or identification number, present address of the present custodian of each report.

13. Does the State Correctional Institution at Mahanoy have video monitoring security in its Restricted Housing Unit, L-5 D-Pod ?
14. If yes,
 - (a) Cite how long the video security taping system has been in place, and in use;
 - (b) Cite S.C.I. Mahanoy Administrative procedure or policy for video security taping and monitoring;
 - (c) Cite S.C.I. Mahanoy Administrative procedure or policy for record storage of video record tapes of incidents of report;
 - (d) Cite Department of Corrections policy or directives on video security monitoring, taping, and record keeping.
15. Was the video monitoring/taping security system in operation in the L-5 unit D-Pod on the date of 10-13-00 ?
16. Was your authority notified by plaintiff and/or any other persons or official authorities to retain video security taping's for the date of 10-13-00 ?
17. Disclose all L-5 unit D-Pod security video taping's for the day of 10-13-00.
18. State the name and address or otherwise identify and locate any persons who, to your knowledge, or to the knowledge of your agents and attorneys, purport to have knowledge facts relevant to the issues or conduct described in these interrogatories.
19. Do you, your attorneys, or any person employed by you or your attorneys, have possession or know of the existence of any books, records, reports made in the ordinary course of business, other printed or documentary material, or photographs, drawings, video, or documents, or other tangible objects that are relevant to the conduct described in these interrogatories?
20. If yes, state:
 - (a) The name and description of each item;
 - (b) The name and address of each person who made, prepared or took such item;
 - (c) The name and address of the present custodian of each such item;
 - (d) The date, time and place where each such item was made, prepared or taken;
 - (e) The method by and purpose for which each such item was made, prepared or taken;
 - (f) The manner in which each such item is relevant to the issues or conduct described in these interrogatories.
21. Do you, any other employees under your authority, your attorneys have knowledge of any item mentioned there being altered in any manner, lost or destroyed?
22. If yes,
 - (a) Explain;
 - (b) Cite instances, items, dates;
 - (c) Cite names and addresses of persons involved or who have knowledge of relevant events.

Dated 10-22-01by Brett T. Cohen

PROOF OF SERVICE

I, the undersigned, hereby aver that I have served the foregoing; "Plaintiff's First Set of Interrogatories" to be served upon the defendants of Complaint, Case No. 1:01-cv-00904. The Interrogatories have been submitted to the U.S. District Court (Clerk of Courts), to record date and service upon the defendant; Robert D. Shannon, in Case No. 1:01-cv-00904. Plaintiff now submits to the Clerk of Courts the Interrogatories in the manner indicated:

SERVED BY U.S. MAIL ADDRESSED AS FOLLOWS:

- (2) Copies (Robert D. Shannon), one to be served upon defendant, and one for the Court record.

TO: U.S. DISTRICT COURT
CLERK OF COURTS
228 WALNUT STREET
P.O. BOX 983
HARRISBURG, PA. 17108

Served this 23 day of October, 2001

Signature, Brett T. Calhoun